



Supporting California's Children

Child Support Information for the Parent in Jail or Prison

Remember!

- Your child support order continues while you are in jail or prison, unless a court changes it. Contact the local child support agency handling your case immediately if you are in jail or prison.
- Changes in your child support order are not automatic and do not go back to the date your income changed, so you need to act quickly.
- Interest is added to the child support you have not paid.



*Arnold Schwarzenegger, Governor
State of California*

*Kimberly Belshé, Secretary
California Health and Human Services Agency*

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Department of
Child Support Services

Contact your local child support agency today.

It could save you money.

What if I am served with child support papers while in jail or prison?

As soon as you get the papers, contact the local child support agency listed on the paperwork. Contact can be made either by telephone or in writing. You only have 30 days from the date the papers were served (given) to respond to the court.

If paternity (child's father) has not been established and you don't think you're the father, testing can be done while you are in jail or prison. A blood test is not required and testing can be done quickly and painlessly. The results will be mailed to you.

Will I owe child support while I'm in jail or prison?

Yes. Once an order is in place, you will continue to owe support. You must act immediately to get your order changed. Being in jail or prison does not automatically change your obligation to support your children. If you do not pay your child support, interest will be added to the unpaid amount.



What is a modification?

A modification is a change in the amount of child support you pay.



How do I get my order changed?

Contact the local child support agency that is enforcing your order. Tell them that you are in jail and need a modification. They will review your case and tell you the results.

Can I do time instead of paying child support?

No. You can't get credit for child support owed for time served in jail, and you cannot do time instead of making child support payments.



How much interest is charged when I don't pay?

California's interest rate is 10% per year and is charged monthly to your balance of unpaid child support.

Will I be able to visit my child after I am released?

Child custody and visitation orders are handled by the courts. If visitation is a problem, some Family Law Facilitators can refer you to someone who can help you. The Family Law Facilitator provides free legal assistance for child support issues or you can hire a private attorney.

Should I contact the local child support agency handling my case when I am released?

Yes. You must let the local child support agency handling your case know of any address, employment and income changes.

The California Department of Child Support Services does not provide legal services to parents or guardians.